

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as provided by the act of Congress of March 4, 1923.

On February 21, 1935, the Oregon-Savinar Produce Exchange, Inc., having appeared as claimant, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that it be brought into conformity with the law under the supervision of this Department.

M. L. WILSON, *Acting Secretary of Agriculture.*

24318. Adulteration of apples. U. S. v. 176 Bushels of Apples. Consent decree of condemnation. Product released under bond for removal of deleterious substances. (F. & D. no. 35119. Sample no. 25405-B.)

Examination of the apples involved in this case showed the presence of arsenic and lead in amounts that might have rendered them injurious to health.

On or about December 13, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 176 bushels of apples at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about September 23, 1934, by the Coloma Orchards, from Coloma, Mich., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Coloma Orchard Co., Coloma, Mich."

The article was alleged to be adulterated in that it contained added poisonous and deleterious ingredients, arsenic and lead, in amounts that might have rendered it injurious to health.

On January 7, 1935, the Strube Celery & Vegetable Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that the deleterious substances be removed by washing.

M. L. WILSON, *Acting Secretary of Agriculture.*

24319. Adulteration of apples. U. S. v. 796 Boxes of Apples. Consent decree of condemnation. Product released under bond. (F. & D. no. 35115. Sample nos. 16009-B, 16010-B.)

Examination of the apples involved in this case showed the presence of lead in an amount that might have rendered them injurious to health.

On January 25, 1935, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 796 boxes of apples at Vernon, Calif., alleging that the article had been shipped in interstate commerce on or about January 14, 1935, by the Lombard-Horsley Investment Co., from Buena, Wash., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Rome Beauty, B. P. & S. Company, Buena, Wash."

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it injurious to health.

On January 29, 1935, the Lombard-Horsley Investment Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered by the court that the product be released, conditioned that it would not be sold or otherwise disposed of in violation of the Federal Food and Drugs Act and all other laws.

M. L. WILSON, *Acting Secretary of Agriculture.*

24320. Adulteration of apples. U. S. v. 122 Bushels and 100 Bushels of Apples. Consent decree of condemnation. Product released under bond for removal of deleterious substances. (F. & D. nos. 35117, 35181. Sample nos. 29215-B, 29216-B.)

Examination of the apples involved in these cases showed the presence of arsenic and lead in amounts that might have rendered them injurious to health.

On or about December 27, 1934, and January 3, 1935, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 222 bushels of apples at Chicago, Ill., alleging that the article

had been shipped in interstate commerce in part on or about September 14, 1934, by William Hamlin under the name of Rosenthal & Stockfish, Inc., from Glenn, Mich., and in part on or about September 16, 1934, by Rosenthal & Stockfish, from Benton Harbor, Mich., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "P. H. Broe, Bravo, Mich."

The article was alleged to be adulterated in that it contained added poisonous and deleterious ingredients, arsenic and lead, in amounts that might have rendered it injurious to health.

On January 17, 1935, Rosenthal & Stockfish, Inc., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that the deleterious substances be removed by washing.

M. L. WILSON, *Acting Secretary of Agriculture.*

24321. Adulteration of whitefish. U. S. v. 271 Boxes of Whitefish. Consent decree of condemnation. Product released under bond. (F. & D. no. 35120. Sample nos. 1981-B, 1982-B.)

This case involved a shipment of whitefish which was found to be infested with worms.

On or about January 21, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 271 boxes of whitefish at Chicago, Ill., alleging that the article had been shipped from Chucham, Province of Alberta, Canada, by McGinnis Products Corporation, on or about January 12, 1935, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed or putrid animal substance, and in that it consisted of portions of animals unfit for food.

On January 21, 1935, Walker's Fulton Fish Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that it should not be sold or otherwise disposed of contrary to the provisions of the Federal Food and Drugs Act and all other laws.

M. L. WILSON, *Acting Secretary of Agriculture.*

24322. Adulteration of butter. U. S. v. 24 Boxes and 15 Boxes of Butter. Default decree of condemnation. Filthy portion destroyed. Remainder delivered to charitable organizations. (F. & D. no. 35145. Sample no. 2440-B.)

This case involved an interstate shipment of butter that contained less than 80 percent by weight of milk fat, and a part of which was also filthy.

On or about September 10, 1934, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 39 boxes of butter at Detroit, Mich., alleging that the article had been shipped in interstate commerce on or about August 8, 1934, by the Borden Sales Co., Inc. (Kirschbraun Div.), from Omaha, Nebr., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat, as provided by act of Congress of March 4, 1923.

Adulteration was alleged with respect to a portion of the product for the further reason that it consisted in whole or in part of a filthy animal substance.

On December 6, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the portion of the butter which was filthy be destroyed, and that the portion deficient in milk fat be delivered to charitable organizations.

M. L. WILSON, *Acting Secretary of Agriculture.*

24323. Adulteration of apples. U. S. v. 300 Bushels of Apples. Decree of condemnation. Product released under bond for removal of deleterious ingredients. (F. & D. no. 35148. Sample no. 25268-B.)

Examination of the apples involved in this case showed the presence of arsenic and lead in amounts that might have rendered them injurious to health.